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Paper 14
26 January 2009

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,669

GENVEC, INC.
(US 7,214,368),
Junior Party,

v.

DANA-FARBER CANCER INSTITUTE
and ARCH Development Corp.
(08/289,290),
Senior Party.

Before: SCHAFFER, TORCZON, and LANE, *Administrative Patent Judges*.

TORCZON, *Administrative Patent Judge*.

Judgment
Bd.R. 127(b)
On request for adverse judgment

The junior party (GenVec) abandons the contest as to count 1
(Paper 13). Consequently, it is—

ORDERED that JUDGMENT be entered AGAINST GenVec for count 1 (Paper 1);

FURTHER ORDERED that claims 1-16 of GenVec's involved patent be CANCELED, 35 U.S.C. 135(a); and

FURTHER ORDERED that a copy of this judgment be entered in the administrative records of the involved patent and application.

cc:

John Kilyk, Jr., and Melissa E. Kolom, Leydig, Voit & Mayer, Ltd., of Chicago, Illinois

Jeffrey S. Ward and Wendy M. Ward, Michael, Best & Friedrich, LLP, of Madison, Wisconsin